

AFTER RECORDING, RETURN TO:

**PACIFIC GAS AND ELECTRIC COMPANY**  
 Land Services Office  
 111 Almaden Blvd. Rm. 814  
 San Jose, CA 95115

Location: City/Uninc \_\_\_\_\_  
 Recording Fee \_\_\_\_\_  
 Document Transfer Tax \$ NO CONSIDERATION  
☐ Computed on Full Value of Property Conveyed, or  
☐ Computed on Full Value Less Liens & Encumbrances  
 Remaining at Time of Sale.

Signature of declarant or agent determining tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

EASEMENT

CITY OF MILPITAS,  
 a municipal corporation,

hereinafter called first party, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called second party, the right from time to time to construct, reconstruct, install, inspect, maintain, replace, remove, and use facilities of the type hereinafter specified together with a right of way therefor, within a strip or parcel of land or along a route as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands situate in the City of Milpitas, County of Santa Clara, State of California, described as follows:

(APN: 086-11-013)

Lot B, as shown upon that certain Map of Tract 9699, filed for record March 9, 2006 in Book 798 of Maps, at pages 12 through 17, Santa Clara County Records.

Said facilities shall consist of:

Such underground conduits, pipes, manholes, service boxes, wires, cables, and electrical conductors; aboveground marker posts, risers, and service pedestals; underground and aboveground switches, fuses, terminals, and transformers with associated concrete pads; and fixtures and appurtenances necessary to any and all thereof, as second party deems necessary located within the strip of land as described in Exhibit "A" and shown upon Exhibit "B", designated as SJL-14500, attached hereto and made a part hereof.

GRANTORS  
 COPY

Second party shall also have the right to trim, cut down, and clear away or otherwise control any trees or brush on said strip of land, as hereinbefore set forth, whenever considered necessary for the complete enjoyment of the rights hereby granted.

First party shall not erect or construct any building or other structure or drill or operate any well under or within said strip of land.

First Party acknowledges that they have read the attached Grant of Easement Disclosure Statement (EXHIBIT "C"), which by this reference, is made part of this Grant of Easement Deed.

First party further grants to second party the right to assign to another public utility as defined in Section 216 of the California Public Utilities Code the right to install, inspect, maintain, replace, remove and use communication facilities within said strip (including ingress thereto and egress therefrom).

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.

Dated \_\_\_\_\_, 20\_\_\_\_.

CITY OF MILPITAS

By \_\_\_\_\_

By \_\_\_\_\_

South Coast Area  
San Jose Land Services Office  
Operating Department: Electric Distribution  
M.D.B.&M., T.6S., R.1E., SEC. 7, NW ¼ OF SE ¼  
FERC License Number: N/A  
PG&E Drawing Number: SJL-14500  
LD of any Affected Documents: N/A  
LD of any Cross-Referenced Documents: N/A  
Type of Interest: 4 & 43  
SBE Parcel Number: N/A  
(For Quitclaims, % Being Quitclaimed): N/A  
Order# or PM#: 30477660  
JCN: N/A  
County: Santa Clara  
Utility Notice Numbers: N/A  
Prepared By: dan9  
Checked By: kkc3  
Revision Number: 0  
FB: N/A  
Plat: E-17-16  
File: CityofMilpitas.doc

STATE OF CALIFORNIA  
COUNTY OF \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_  
(here insert name and title of the officer)

personally appeared \_\_\_\_\_

\_\_\_\_\_

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature \_\_\_\_\_

(Seal)

**CAPACITY CLAIMED BY SIGNER**

- ☐ Individual(s) Signing For Oneself/Themselves
- ☐ Corporate Officer(s) of the Above Named Corporation(s)
- ☐ Guardian of the Above Named Individual(s)
- ☐ Partner(s) of the Above Named Partnership(s)
- ☐ Attorney(s)-in-Fact of the Above Named Principal(s)
- ☐ Other \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

EXHIBIT "A"

EASEMENT LEGAL DESCRIPTION

All that certain real property situate in the City of Milpitas, County of Santa Clara, State of California, being a portion of the Lands of the City of Milpitas as described in Document No. 3593239, Santa Clara County Records, together with a portion of Lot "B" as shown on that certain Map entitled "Tract 9699, Terra Serena for Condominium Purposes" recorded in Book 798 of Maps, Pages 12-17, Santa Clara County Records, described as follows:

A Strip of Land, 10.00 feet in width, more particularly described as follows:

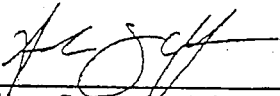
**Beginning** at the Northwestern corner of said Lands of the City of Milpitas described above, thence along the Northwestern line of said Lands and the Northwestern line of said Lot "B", South  $40^{\circ}52'35''$  East, 223.78 feet; thence leaving said Northwestern line and along the northerly line of said Lot "B" South  $79^{\circ}38'00''$  West, 12.82 feet; thence leaving said Northerly line South  $49^{\circ}07'25''$  East, 18.03 feet; thence along a line drawn parallel with and distant 10.00 feet Southeasterly, measured at right angles to said Northwestern line of Lot "B" and said Lands of the City of Milpitas, North  $40^{\circ}52'35''$  East, 233.31 feet; thence North  $46^{\circ}26'30''$  West, 10.01 feet to the **Point of Beginning**.

Containing 2,376 Square Feet, more or less.  
As shown on Exhibit "B" made a part hereof.

END OF DESCRIPTION

This legal description was prepared by me or under my direction pursuant to the requirements of the Professional Land Surveyor's Act.



  
\_\_\_\_\_  
Andrew S. Chafer, PLS 8005  
Expires 12/31/2006

8/7/06  
\_\_\_\_\_  
Date

SOUTH MAIN STREET



SCALE IN FEET: 1" = 40'

**LEGEND**

P.O.B.

POINT OF BEGINNING

PROPERTY BOUNDARY LINE

PROPERTY LINE PER 798-M-12

TOTAL DIMENSION

RADIAL LINE

PUBLIC SERVICE UTILITY EASEMENT

EMERGENCY VEHICLE ACCESS EASEMENT

INGRESS/EGRESS EASEMENT

PRIVATE STORM DRAINAGE EASEMENT

(T)

(R)

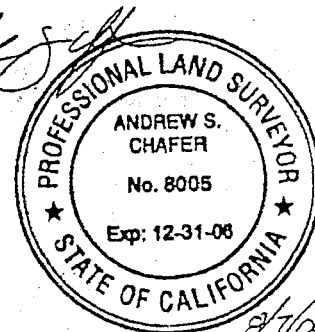
PSUE

EAE

IEE

PSDE

MILPITAS REDEVELOPMENT AGENCY,  
a Public Body Corporate and Politic  
Document No. 1814233



LOT C  
(PRIVATE PARK)  
TRACT NO. 9699  
TERRA SERENA  
798 MAPS 12-17  
0.36 AC±

LOT 2  
TRACT NO. 9699  
TERRA SERENA  
798 MAPS 12-17  
2.84 AC±

CITY OF MILPITAS,  
a municipal corporation  
Document No. 18837772

LOT B  
TRACT NO. 9699  
TERRA SERENA  
798 MAPS 12-17  
(PUBLIC PARK)  
(DEDICATED BY  
SEPARATE DOCUMENT)  
1.15 AC±

PM: 30477660  
PLAT: E-17-16  
NW1/4 of SE1/4 of Sec. 7  
T.6S., R.1E., MDB&M

| COURSE TABLE |             |        |
|--------------|-------------|--------|
| LINE         | BEARING     | DIST   |
| L1           | N40°52'35"E | 13.08' |
| L2           | N79°38'00"E | 12.82' |

SJL-14500

**EXHIBIT "B"**  
**PLAT TO ACCOMPANY**  
**EASEMENT LEGAL DESCRIPTION**

FOR A 10 FOOT WIDE STRIP OF LAND  
OVER A PORTION OF THE LANDS OF THE CITY OF  
MILPITAS AND A PORTION OF "LOT B",  
BOOK 798 OF MAPS, PAGES 12-17  
CITY OF MILPITAS, SANTA CLARA COUNTY, CALIFORNIA

**Ruggeri -**  
**Jensen -**  
**Azar & Associates**  
ENGINEERS • PLANNERS • SURVEYORS  
8055 CAMINO ARROYO • GILROY, CA 95020  
PHONE: (408) 848-0300 • FAX: (408) 848-0302

SCALE:  
1" = 40'

DATE:  
7-20-2006

JOB NO.:  
032011

## EXHIBIT "C"

### GRANT OF EASEMENT DISCLOSURE STATEMENT

This Disclosure Statement will assist you in understanding your rights as a property owner when granting an easement to Pacific Gas and Electric Company (PG&E) to accommodate your or your neighbor's, new utility service extension. **Please read this disclosure carefully before signing the Grant of Easement.**

- You are under no obligation or threat of condemnation by PG&E to grant this easement.
- The granting of this easement is an accommodation to PG&E's applicant requesting the extension of PG&E utility facilities to the applicant's property or project, pursuant to PG&E's Electric and Gas Line Extension Rules 15 and 16, as authorized by the California Public Utilities Commission. As this is an accommodation to a single customer or group of customers and not PG&E. The California Public Utilities Commission has not authorized PG&E to purchase such easements.
- By granting this easement to PG&E, the facilities installed within the easement across your property may be used to serve additional customers in the area.
- Removal and/or pruning of trees or other vegetation on your property may be necessary for the installation of PG&E facilities. You have the option of having PG&E's contractors perform this work on your property, if available, or granting permission to PG&E's applicant or the applicant's contractor to perform this work. Additionally, in order to comply with California fire laws and safety orders, PG&E or its contractors will periodically perform vegetation maintenance activities on your property as provided for in this grant of easement.
- The description of the location in which the PG&E utility facilities are to be installed upon, in, on, or across your property must be satisfactory to you.
- The California Public Utilities Commission has authorized that the applicant may perform the installation of certain utility facilities for utility service. In addition to granting this easement to PG&E, you will need to give your consent to the applicant, or applicant's contractor, working on your property. Upon completion of the applicant's installation, the utility facilities will be inspected by PG&E. When the facility installation is determined to be acceptable the facilities will be conveyed to PG&E by its applicant.

By signing the Grant of Easement, you are acknowledging that you have read this disclosure and understand that you are granting the easement to PG&E of your own free will. Please return the signed and notarized Grant of Easement and this Disclosure Statement to PG&E. The duplicate copy of the Grant of Easement and this Disclosure Statement is for your records.

RECORDED AT THE REQUEST OF:  
First American Title

WHEN RECORDED RETURN TO:  
KB HOME South Bay Inc.  
6700 Koll Center Parkway, Suite 200  
Pleasanton, CA 94566

## GRANT DEED OF EASEMENT

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, THE CITY OF MILPITAS, a municipal corporation ("**Grantor**") hereby **GRANTS** to KB HOME SOUTH BAY INC., a California corporation ("**Grantee**") the following described real property situated in the City of Milpitas, County of Santa Clara, State of California:

### PARCEL ONE:

A non-exclusive easement over, under, through and across the real property more particularly described in Exhibit "A" attached hereto ("**Easement**").

The Easement shall be appurtenant to Lot 3 ("**Dominant Tenement**"), as shown on the final map of Tract 9699, filed for record on March 9, 2006, in Book 798 of Maps at Pages 12 through 17, inclusive, in the Official Records of the County of Santa Clara, State of California ("**Map**").

### Purposes

Grantor hereby covenants and warrants that the Easement area shall be maintained and kept free at all times of all buildings, structures and other works of improvement as defined in California Civil Code Section 3106, with the sole exceptions of seeding, sodding and/or planting within the Easement area for landscape purposes.

### Maintenance

Each party is responsible for and shall promptly repair, at its sole cost and expense, all damage caused by the party or its contractors or employees, to any easement, other than damage which is the result of ordinary wear and tear.

### Successors and Assigns

Each reference to "Grantor" in this Deed shall be deemed to refer to and include Grantor and all successors and assigns of Grantor. All references to "Grantee" in this Deed shall be deemed to refer to and include Grantee and all successors and assigns of Grantee.

### Exhibits

All exhibits attached to this Easement Deed are incorporated herein as though they were set forth in full in the body of this Easement Deed.

Dated: \_\_\_\_\_

**GRANTOR:**

THE CITY OF MILPITAS,  
a municipal corporation

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF CALIFORNIA  
COUNTY OF \_\_\_\_\_ } ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public,  
personally appeared \_\_\_\_\_,  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose  
name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the  
same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the  
person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public



## EXHIBIT "A"

### LEGAL DESCRIPTION

All that certain real property situate in the City of Milpitas, County of Santa Clara, State of California, being a portion of Lot "B" as shown on that certain Map entitled "Tract 9699, Terra Serena for Condominium Purposes" recorded in Book 798 of Maps, Pages 12-17, Santa Clara County Records, described as follows:

A Strip of Land, 5.00 feet wide along the Southerly line of said Lot "B", more particularly described as follows:

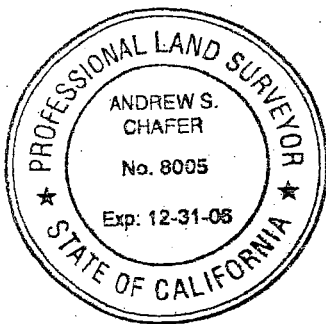
**Beginning** at a point on the southerly line of said Lot "B", distant thereon South 79°38'00" West, 59.00 feet from the most Easterly corner of said Lot; thence continuing along said Southerly line South 79°38'00" West, 112.91 feet; thence leaving said Southerly line North 10°22'00" West, 5.00 feet; thence along a line drawn parallel with and distant 5.00 feet Northerly, measured at right angles to said Southerly line, North 79°38'00" East, 112.91 feet; thence South 10°22'00" East, 5.00 feet to the **Point of Beginning**.

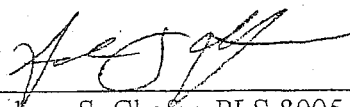
Containing 564.55 square feet, more or less.

As shown on Exhibit "B" made a part hereof.

### END OF DESCRIPTION

This legal description was prepared by me or under my direction pursuant to the requirements of the Professional Land Surveyor's Act.



  
Andrew S. Chafer, PLS 8005  
Expires 12/31/06

7/17/06  
Date

## EXHIBIT "A"

### LEGAL DESCRIPTION

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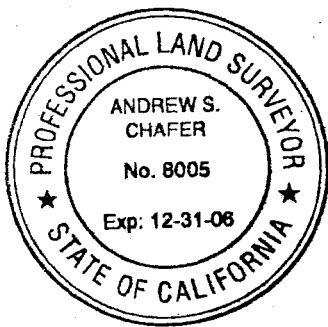
**Beginning** at a point on the southerly line of said Lot "B", distant thereon South 79°38'00" West, 59.00 feet from the most Easterly corner of said Lot; thence continuing along said Southerly line South 79°38'00" West, 112.91 feet; thence leaving said Southerly line North 10°22'00" West, 5.00 feet; thence along a line drawn parallel with and distant 5.00 feet Northerly, measured at right angles to said Southerly line, North 79°38'00" East, 112.91 feet; thence South 10°22'00" East, 5.00 feet to the **Point of Beginning**.

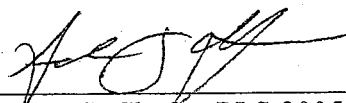
Containing 564.55 square feet, more or less.

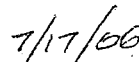
As shown on Exhibit "B" made a part hereof.

### END OF DESCRIPTION

This legal description was prepared by me or under my direction pursuant to the requirements of the Professional Land Surveyor's Act.



  
\_\_\_\_\_  
Andrew S. Chafer, PLS 8005  
Expires 12/31/06

  
\_\_\_\_\_  
Date

CITY OF MILPITAS  
DOCUMENT #3593239  
N16°18'43"W 233.88'(T)

43.89

189.99

59.00'

N10°22'00"W  
5.00'

POB

N79°38'00"E 112.91'

N79°38'00"E 179.91'

N10°22'00"W  
5.00'

8.00'

N40°17'00"E 79.37'(T)

33.38'  
N79°37'50"E

215.79'

40' PSUE

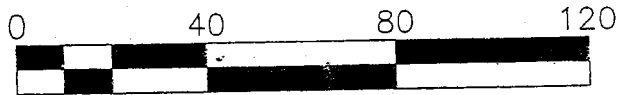
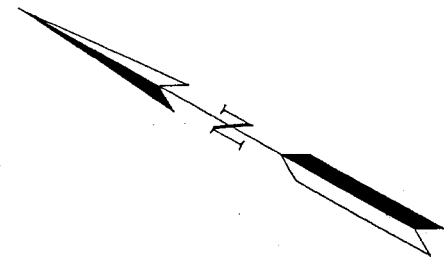
288.76'

ABEL STREET

45.00'

N10°22'10"W 1312.26'(T)

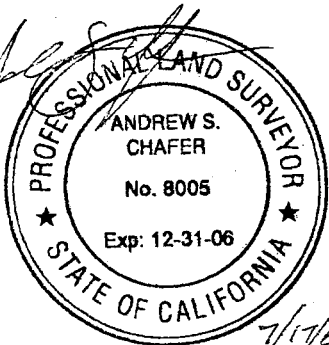
(90' WIDE)



SCALE IN FEET: 1" = 40'

LOT B  
(PUBLIC PARK)  
(DEDICATED BY  
SEPARATE DOCUMENT)  
1.15 AC±

LOT 3  
TRACT NO. 9699  
TERRA SERENA  
798 MAPS 12-17  
2.51 AC±



# LEGEND

P.O.B.

POINT OF BEGINNING

PROPERTY BOUNDARY LINE

PROPERTY LINE PER 798-M-12

TOTAL DIMENSION

(T)

## EXHIBIT "B"

PLAT TO ACCOMPANY  
LEGAL DESCRIPTION

FOR A 5 FOOT WIDE STRIP OF LAND  
BEING A PORTION OF "LOT B",  
BOOK 798 OF MAPS, PAGES 12-17  
CITY OF MILPITAS, SANTA CLARA COUNTY, CALIFORNIA



SCALE:  
1" = 40'

DATE:  
5-26-2006

JOB NO.:  
032011